

### REMARKS

Applicant has reviewed and considered the Office Action mailed on September 10, 2007, and the references cited therewith.

Claims 1, 5, 6, 9-11, 14, 18, and 19 are amended, claims 20, 22, 23, and 27-29 are canceled, and no claims are added; as a result, claims 1, 5, 6, 9-11, 14, 18, and 19 are now pending in this application.

#### 35 USC § 112 Rejection of the Claims

Claims 18 and 19 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 18 and 19 have been amended to be dependent on claim 14. Applicants believe this rejection has been overcome by amendment.

#### 35 USC §102 Rejection of the Claims

Claims 1, 5, 6, and 23 were rejected under 35 USC § 102(b) as being anticipated by Keskula et al. (U.S. Patent No. 6,406,806 B1). Claim 23 has been canceled, rendering this rejection moot with respect to that claim. Claims 1, 5, and 6 have been amended, and are believed to be in condition for allowance as a result. These claims are discussed below under the section entitled "Amended Claims".

Claim 20 was rejected under 35 USC § 102(e) as being anticipated by Colborn et al. (U.S. Patent No. 6,787,259 B2). Claim 20 has been canceled, rendering this rejection moot.

Claims 23 and 27-29 were rejected under 35 USC § 102(e) as being anticipated by Gore (U.S. Patent No. 6,855,443 B2). Claims 23 and 27-29 have been canceled, rendering this rejection moot.

#### 35 USC §103 Rejection of the Claims

Claims 9, 10, 11, and 14 were rejected under 35 USC § 103(a) as being unpatentable over Keskula et al. (U.S. Patent No. 6,406,806 B1). Claims 9, 10, 11, and 14 have been amended, and are believed to be in condition for allowance as a result. These claims are discussed below under the section entitled "Amended Claims".

Claim 22 was rejected under 35 USC § 103(a) as being unpatentable over Colborn et al. (U.S. Patent No. 6,787,259 B2). Claim 22 has been canceled, rendering this rejection moot.

*Amended Claims*

Claims 1, 5, 6, 9-11, 14, 18, and 19 have been amended, and are believed to be in condition for allowance as a result.

Independent claims 1 and 14 have been amended to clearly recite that the apparatus is a separately packaged hybrid power system that can connect to a portable computer only through the power delivery interface. The power delivery interface provides power and the signaling ability to request that the portable computer reduce a load.

Applicants respectfully submit that Keskula does not disclose, teach, or suggest a separately packaged hybrid power system capable of requesting the reduction of a load. The fuel cell, battery, controller, and load of Keskula are all tightly coupled in an integrated system, and there is no mention of a separately packaged power system that can deliver power and request reduction of a load through one, separate, interface. The separately packaged hybrid power system of the present invention provides many advantages, including the ability to power portable computers without the complications of integrating a fuel cell into the computer.

Dependent claims 5, 6, 9-11, 18, and 19 have been amended to have proper antecedent basis, and are believed to be in condition for allowance at least by virtue of dependency.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (952-473-8800) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 504238.

Respectfully submitted,

MICHAEL J. ROCKE ET AL.

By their Representatives,

**CUSTOMER NUMBER: 45445**

Telephone Number: 952-473-8800

Date December 7, 2007

By Dana B. LeMoine  
Dana B. LeMoine  
Reg. No. 40,062

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of December, 2007.

Spencer A Bartl  
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Name

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Signature

